

## State of Utah

# FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR file no:

Date filed:

Utah Admin.

R307-320

Time filed:

Code ref. (R no.):

1. Agency:

Environmental Quality/Air Quality

Room no.:

Building:

Street address 1: 150 N 1950 W

Street address 2:

City,state,zip: SALT LAKE CITY, UT 84116-3085

Mailing address 1: PO BOX 144820

Mailing address 2:

City,state,zip: SALT LAKE CITY, UT 84114-4820

**Contact person(s):****Name:****Phone:****Fax:****E-mail:****Remove:**

Jan Miller

801-536-4042

801-536-4099

janmiller@utah.gov

(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)

2. **Title of rule or section (catchline):**

Davis, Salt Lake and Utah Counties, and Ogden City: Employer-Based Trip Reduction Program

3. **A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule:**

R307-320 is authorized by 19-2-104(1)(h) and (2), which authorize, and set forth criteria for consideration in implementing, an employer-based trip reduction program for businesses and government agencies that have 100 employees or more at a single site in a nonattainment area. The statute requires permission of the governor before implementation, and requires that the Air Quality Board consider the impact of the business on overall air quality and the need of the business to use automobiles in order to carry out its business purposes before implementing the program. R307-320, however, applies only to federal, state and local agencies of government that have 100 or more employees at a single site, and not to businesses.

4. **A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule:** No written comments have been received in the past five years.

5. **A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any:**

The rule is required by the state maintenance plan for ozone, incorporated by reference under R307-110-13; that plan applies in Salt Lake and Davis Counties. In addition, the rule could be implemented as a contingency measure in Ogden City and Utah County if current federal health standards are violated there, but the Board has adopted plans showing that those standards are not expected to be violated through 2017. Though the statute authorizes the Air Quality Board to require a trip reduction program for

businesses, R307-320 applies only to federal, state and local agencies of government that have 100 or more employees at a single site. The purpose of the rule is to reduce the amount of miles driven by employees commuting to and from work. Many of the agencies that have achieved the greatest reduction in drive-alone rates are located in downtown areas where bus routes, light rail and van pools provide many options for employees. Where employees work erratic schedules, or where there are security concerns, employees are not asked to participate. About 80 agencies have been tracked, and, in general, compliance has been good. The lowest measured drive-alone rate is 35% at the U.S. Bureau of Reclamation. A great deal of the success of the program is attributable to the Utah Transit Authority, which markets an assortment of alternatives to driving alone. These programs include connecting potential carpoolers, promoting vanpools, and providing a free ride home for participants who have occasional emergencies that necessitate getting home at a different time. UTA improves the success of the rule by offering their voluntary programs to businesses, though R307-320 does not apply to businesses.

**6. Indexing information - keywords (maximum of four, in lower case):**  
air pollution, motor vehicles, trip reduction

**7. Attach an RTF document containing the text of this rule change (filename):**  
There is currently a document associated with this filing.

**To the agency:** Information requested on this form is required by Section 63-46a-9. Incomplete forms will be returned to the agency for completion, possibly delaying the effective date.

### AGENCY AUTHORIZATION

<b>Agency head or designee, and title:</b>	Heying, M. Cheryl Planning Branch Manager	<b>Date</b> (mm/dd/yyyy):	6/22/2005
<input type="text" value="Non Printable"/>			